

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

| | | |
|--------------------------------|---|-------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION NO.: |
| v. |) | |
| |) | 4:14-cv-00216 |
| 2014 MERCEDES BENZ, S63 Model, |) | |
| VIN: WDDUG7JB0EA042570, |) | |
| |) | |
| Defendant. |) | |

ANSWER

Now Comes Sherif Shagaya, who filed a Verified Claim in this case and
Answers the Complaint as follows:

FIRST DEFENSE

The Complaint fails to state a claim upon which relief may be granted.

SECOND DEFENSE

Claimant is an innocent owner of the vehicle.

THIRD DEFENSE

Responding to the enumerated paragraphs of the Complaint, the Claimant
shows:

1.

Admitted.

2.

Denied.

3.

Denied.

4.

Admitted, though the Claimant denies that the property is forfeitable.

5.

Admitted.

6.

Admitted.

7.

Claimant is without sufficient information to form a belief as to the truthfulness of this allegation.

8.

Claimant contests the propriety of attaching an Affidavit to a Complaint in lieu of setting forth the allegations in the Complaint. Nevertheless, the Claimant denies that the vehicle is forfeitable and denies the material allegations contained in Exhibit A to the Complaint which purport to set forth a basis for forfeiture. In addition, Claimant contends that he is an innocent owner, who purchased the vehicle with legitimate funds and without any knowledge of any illegality in the method by which the vehicle was purchased. Noteworthy, the Affidavit from the

agent contains no statements about the Claimant in this case. A considerable amount of the information in the affidavit contains information about which the Claimant in this case has no knowledge, including statements about the law, the practices of car dealerships and the practices of certain individuals who are unknown to the Claimant. The Claimant used his money to purchase a car. The car was purchased. He did not knowingly violate any law, did not conspire to violate any law, did not knowingly engage in any money laundering transactions, and was not aware that his purchase of the vehicle violated any law.

9.

Denied.

10.

Admitted.

11.

Any other material allegation in the complaint or the affidavit to which the Claimant has not specifically responded, is expressly denied.

Respectfully submitted,

/s/ Donald F. Samuel
DONALD F. SAMUEL
Georgia Bar No. 624475
Attorney for Defendant

GARLAND, SAMUEL & LOEB, P.C.
3151 Maple Drive, N.E.
Atlanta, GA 30305; Tel: 404-262-2225

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

| | | |
|--------------------------------|---|-------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION NO.: |
| v. |) | |
| |) | 4:14-cv-00216 |
| 2014 MERCEDES BENZ, S63 Model, |) | |
| VIN: WDDUG7JB0EA042570, |) | |
| |) | |
| Defendant. |) | |

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of November, 2014 a copy of the foregoing was filed electronically through the Court's CM/ECF system, which notifies those noted below of its service, and that I mailed a copy of the foregoing document via regular mail to the following:

Jeffrey J. Buerstatte
Assistant United States Attorney
P.O. Box 8970
Savannah, Georgia 31412

/s/ Donald F. Samuel
DONALD F. SAMUEL
Georgia Bar No. 624475
Attorney for Defendant